Exhibit E

KILGORE & KILGORE

LAWYERS

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Robert E. Goodman, Jr.
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May 15, 2013

Eugene Scalia
Gibson, Dunn & Crutcher, LLP
1050 Connecticut Avenue, NW
Washington, DC 20036

RE: Eddingston, et al. v. UBS Financial Services Inc. and Hendricks, et al. v. UBS Financial Services Inc.

Dear Gene:

Pursuant to our conversation yesterday, I enclose draft amended answers to the interrogatories being circulated among Plaintiffs for finalization and verification. The draft amended answers include additional information in response to the interrogatories upon which you have focused as well as others. We reserve the right to further supplement all answers.

With respect to the responses to your document requests, other than two additional documents being produced referred to below, there are no additional documents being produced at this time.

Subject only to the inability to communicate with any Plaintiffs between now and Friday, we intend to have the finalized amended answers to you by the end of the day tomorrow and the respective verifications of those finalized answers by Friday if not also by the end of the day tomorrow.

As referenced above, I am also producing two additional documents on behalf of Plaintiffs. They are attached. I will get them Bates-stamped and resend them as such later today or tomorrow.

Very truly yours,

Robert E. Goodman, Jr.

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

MARK T. EDDINGSTON,	§	
JEFFERY M. DAVIS,	§	
ELRIDGE NICHOLAS BOLLICH,	§	
RAY A. COX and GEORGE GALANIS,	§	
	§	
Plaintiffs,	§	Civil Action No. 2:12-CV-00422
	§	
v.	§	
	§	
UBS FINANCIAL SERVICES, INC.,	§	
	§	
Defendant.	§	**JURY TRIAL DEMANDED**

PLAINTIFF, MART T. EDDINGSTON'S, FIRST AMENDED ANSWERS TO FIRST AND SECOND SETS OF INTERROGATORIES PROPOUNDED BY DEFENDANT

Plaintiff, Mark T. Eddingston, hereby provides the following first amended answers to Defendant's first and second sets of interrogatories

1. Identify each and every person who assisted you in answering these Interrogatories and in responding to Defendant's First Request for Production of Documents, and specify to which Interrogatory and Document Request and subpart that person provided assistance or input and the nature of such assistance or input.

ANSWER:

I was aided in the answering of these interrogatories by my attorney, Robert E. Goodman, Jr., and his paralegal, Tara Mills. They assisted me in understanding all of the interrogatories and requests and, where indicated below, provided input based on information and documents of which they have become aware through the process of discovery.

2. For each person you believe has knowledge of any of the facts underlying any of the claims in the Amended Complaint or the subject matter of this litigation, please state: (a) full name, last known home and business addresses and telephone numbers, and relationship to you; (b) current employer and position and, if formerly employed by Defendant, state when and what position; (c) the facts or information which you believe to be the substance of his or her knowledge and the source of such knowledge; and (d) the identity of any documents which relate to the person's information or knowledge, including without limitation any written statements.

ANSWER:

I am the only individual with knowledge of the underlying facts in the Amended Complaint as they apply to me. My business address and telephone number is as follows:

Morgan Stanley
4055 Dowlen Road
Beaumont, Texas 77706
409-899-9780

I was formerly a financial advisor of Defendant, between January 1991 and August 2008, and am currently employed by Morgan Stanley. The facts or information underlying claims asserted in this action or the subject matter of this action within my knowledge are based on my employment with Defendant and consist of my participation in Defendant's PartnerPlus Plan for Financial Advisors (the "Plan") by the making of deferrals thereunder and then forfeiture of amounts accrued for my benefit thereunder after my separation from Defendant. The documents which relate to my information or knowledge consist of the documents referred to in the Amended Complaint and any documents I have produced pursuant to Defendant's first and second requests for production of documents. I believe the other Plaintiffs in this action and the related Bill Hendricks, et al. v. UBS Financial Services, Inc. action have similar knowledge of similar facts based on similar sources. I am also aware of the persons and documents referred to in my deposition. I also believe multiple branch managers of Defendant who may or may not be Plaintiffs have knowledge of facts underlying claims asserted in the Amended Complaint or the subject matter of this action. In that connection, I am also aware of one or more projections of amounts deferred under the Plan, such as those being produced by Plaintiffs concurrently with these Amended Answers. My counsel is aware of other persons believed to have knowledge of facts underlying the claims in the Amended Complaint or the subject matter of this action, not limited to Matthew Levitan and the persons referred to in his deposition taken on May 14, 2013, and also is aware of documents which relate to that or those persons' knowledge or information, being the documents referred to in the deposition and made exhibits at such deposition, in particular Exhibits 2 through 12, and documents produced by Defendant in this action and the related Bill Hendricks, et al. v. UBS Financial Services, Inc. action. My counsel is also aware of other persons who have knowledge of facts underlying the claims asserted in the Amended Complaint identified in documents produced by other Plaintiffs and Defendant, and in the depositions of Plaintiff, Aubrey B. Stacy, taken in the related Bill Hendricks, et al. v. UBS Financial Services, Inc. action, including those referred to in the answer to Interrogatory No. 10.

3. Identify each and every person, other than your attorneys, with whom you have discussed the allegations in the Amended Complaint or the subject matter of this litigation, and for each such person, please state: (a) the full name, last known home and business addresses and telephone numbers, and relationship to you; (b) when and where the discussion(s) or communication(s) took place; (c) the identity of each person present during such discussion(s) or communications(s); and (d) the identity of any documents concerning the discussions(s), correspondence, or communications(s), including without limitation any written statements.

ANSWER:

I have had no discussions other than those with other Plaintiffs in this action. Such discussions occurred within a brief period prior to the filing of this action or have occurred since, by telephone. No documents exist concerning such discussions.

4. Identify each person from Defendant who, either individually or as part of a group, communicated with you, orally or in writing, regarding the Plan. For each such person, specify the nature of the communication; the date when the communication took place; what the individual said about the Plan; what statements, if any, you made during the communication; witnesses, if any, to the communication(s); and any notes or documents relating to the communication(s).

ANSWER:

I object to this interrogatory on the ground that the request seeks information that is not relevant in that it requests information related to the merits of the case rather than the issue of class certification. Subject to and without waiving the foregoing objection, I have had no discussions other than those involving other Plaintiffs in this action referred to in my answer to Interrogatory No. 3 or discussion referenced in my deposition.

5. Identify in detail your calculations as to damages and any other relief to which you believe you are entitled and for which you seek redress against Defendant, and for each element of damages or other relief identify: (a) each and every fact upon which you base your entitlement contention; (b) all documents relating or referring to any facts which form the bases of your entitlement contention; (c) each and every person who may have knowledge of the facts underlying your entitlement contention; and (d) each and every document relating to your alleged damages and any other information provided in your answer to this Interrogatory.

ANSWER:

I object to this interrogatory as overly broad and burdensome. The information is possessed and known by Defendant. Subject to and without waiving the foregoing objection, Firm Contributions, Market Interest and Turbo Interest forfeited as calculated by The Newport Group are the basis for my damage calculations. I have attached a copy of the forfeiture calculation.

6. Identify any person (other than counsel) from whom you or your attorneys have obtained or will obtain a written statement of any kind relating to any fact, allegation, claim, issue or defense raised in this action. For each such person, describe the substance of such statements. Identify all documents relating to same.

ANSWER:

I object to this interrogatory on the ground that the request seeks information that is not relevant in that it requests information related to the merits of the case rather than the issue of class certification. Subject to and without waiving the foregoing objection, I provided a declaration in connection with Defendant's motion to dismiss this action. I am aware of declarations also obtained from other Plaintiffs in connection with Defendant's motion to dismiss and am aware of the deposition of Mr. Levitan. I have not reviewed the substance of the deposition of Mr. Levitan, or the documents relating to his deposition, but they will be evidenced by the transcript of his deposition and the exhibits to the deposition.

7. If, in support of your claims as described in the Amended Complaint, you rely on any specific communications or documents which you contend directly evidence or support your allegations, identify each and every such communication or document.

ANSWER:

I object to this interrogatory on the ground that the request seeks information that is not relevant in that it requests information related to the merits of the case rather than the issue of class certification. Subject to and without waiving the foregoing objection, the communications and documents relied on in support of my claim as described in the Amended Complaint are those referred to in the Amended Complaint and the document referred to in my answer to Interrogatory No. 5 and may include any communications and documents identified at my deposition. I understand that the communications and documents also include all documents produced by me and other Plaintiffs in this action and the related Bill Hendricks, et al. v. UBS Financial Services, Inc. action and all documents produced by Defendant, in particular Exhibits 2 through 12 at the deposition of Mr. Levitan.

8. If you contend that Defendant, by any of its officers, agents managers, or employees, has made any admissions or declarations against interest concerning the subject matter of this action, please identify the person making the statement and identify the statement allegedly made (and if in writing, attach a copy).

ANSWER:

I object to this interrogatory on the ground that the request seeks information that is not relevant in that it requests information related to the merits of the case rather than the issue of class certification. Subject to and without waiving the foregoing objection, such persons have not been identified at this time. I am also aware that Mr. Levitan made multiple admissions against interest or declarations against interest in his deposition. Also, Plaintiffs and Defendant have produced documents in this action and the related Bill Hendricks, et al. v. UBS Financial Services, Inc. action documents containing admissions and declarations against interest, including specifically Exhibits 2 through 12 at Mr. Levitan's deposition and documents produced concurrently with these Amended Answers. Also, I have testified in my deposition and Aubrey B. Stacy has testified in the related Bill Hendricks, et al. v. UBS Financial Services, Inc. to admissions or statements against interest of Defendant.

9. Describe in detail any communications with potential class members regarding this litigation. For each such person, specify the nature of the communication, the date when the communication took place, what was said by the potential class member, what statements, if any, you made during the communication, witnesses, if any, and any notes you took of the communication.

ANSWER:

None, except for any communications referred to in the answer to Interrogatory No. 2. I took no notes of the communications.

10. Identify each person whom you intend to call as a witness at any hearing or trial in this matter.

ANSWER:

I object to this interrogatory on the ground that the request seeks information that is not relevant in that it requests information related to the merits of the case rather than the issue of class certification. Subject to and without waiving the foregoing objection, I have yet to determine who will be called as a witness at any hearing or trial. However, it is possible that all Plaintiffs in this action or the related Bill Hendricks, et al. v. UBS Financial Services, Inc. action will testify as a witness at any hearing or trial, or that Mr. Levitan and any other persons he mentioned in his deposition or identified in documents produced by me or other Plaintiffs in this action and the related Bill Hendricks, et al. v. UBS Financial Services, Inc. action or produced by Defendant or identified by Mr. Stacy and Mr. Eddingston in their depositions will be called as a witness at any hearing or trial.

At this time, Plaintiffs specifically identify the following individuals who have relevant knowledge and may be called as witnesses at any trial or hearing in this action or the related Bill Hendricks, et al. v. UBS Financial Services, Inc. action:

(a) Rebeca Ferreira, Associate Director
UBS Financial Services, Inc.

(b) Dana Gary, Authorized Officer, FA Compensation
UBS Financial Services, Inc.

(c) Robert McCormick, Executive Director, head of Benefits
UBS Financial Services, Inc.

(d) Joe Sabatello, Director, HR Compensation
UBS Financial Services, Inc.

(e) Rosemarie Albergo, Executive Director, WM US Acounting
UBS Financial Services, Inc.

(f) Grace Kosiecki, Assistant Vice President, HR Compensation Accounting
UBS Financial Services, Inc.

(g) Leticia Waelz, Director/ Compensation and Benefits Communications
UBS Financial Services, Inc.

(h) Kevin Guiney, Associated Director/ HR Field Comp
UBS Financial Services, Inc.

(i) Isabella Kent, Authorized Officer IT/ FA Comp Support
UBS Financial Services, Inc.

(j) Rob Himics, Authorized Officer/ IT for HR
UBS Financial Services, Inc.

(k) Bret Dodson, Senior Client Relationship Manager
The Newport Group

(l) Ryan Simmons, Plan Administrator
The Newport Group

(m) Craig Sheets, Senior Accounting Associate
The Newport Group

(n) Jeff Welte, Senior Implementation Project Manager
The Newport Group

(o) Michelle Wilder, Implementation Specialist
The Newport Group

(p) Glenna Bayles, Vice President, Client Services
The Newport Group

(q) Nicola Harrell, Director, Implementation and Conversions
The Newport Group

(r) Teresa Sherrard, Vice President, Accounting Services
The Newport Group

(s) Mike Shannon, Senior Consultant
The Newport Group

(t) Andrew Eldredge, Vice President, Non-qualified Administration
The Newport Group

(u) Laura E. Simmons, Ph.D., Senior Advisor

Cornerstone Research

(v) Alan M. Johnson
Johnson Associates, Inc.

11. Identify all employers (including yourself) who have offered you employment or for whom you have worked since your employment with UBS ended and through the date of trial, identifying: the company name, address, and location; the dates you were employed by such other employers (including yourself); your positions with such employers; your supervisors' names and titles; a brief description of your job duties; your rate of pay as well as earnings, compensation and other benefits you received during such employment; and if you left the employment, the reasons for your separation from employment.

ANSWER:

I object to this interrogatory on the ground that the request seeks information that is not relevant to any claim or defense or calculated to lead to admissible evidence relevant to a claim or defense other than information as to my participation in the PartnerPlus Plan. Subject to and without waiving the foregoing objection, the names of, and dates of my employment, with subsequent employers, this information is readily available to you on FINRA BrokerCheck.

12. For all employers identified in response to the foregoing interrogatory, identify and describe your efforts to become employed with such employer, including each person who recruited you; each person who interviewed you; the date you first expressed interest in employment with the employer; your reasons for seeking employment outside UBS; any pre-employment communications with representatives of the employer; any applications or resumes submitted; and your reasons for accepting such employment.

ANSWER:

I object to this interrogatory on the ground that the request seeks information that is not relevant to any claim or defense or calculated to lead to admissible evidence relevant to a claim or defense other than information as to my participation in the PartnerPlus Plan.

VERIFICATION

STATE OF TEXAS §
§
COUNTY OF JEFFERSON §

Before me, the undersigned Notary Public, personally appeared Mark T. Eddingston, who, being by me duly sworn, deposed and stated that he is a Plaintiff in this action and that the facts stated in the foregoing Plaintiff, Mark T. Eddingston's, First Amended Answers to First and Second Sets of Interrogatories Propounded by Defendant are within his personal knowledge and are true and correct.

____
Mark T. Eddingston

SUBSCRIBED AND SWORN TO BEFORE ME this _______day of May, 2013.

____
Notary Public

Respectfully submitted,

____

Robert E. Goodman, Jr., Lead Attorney
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reg@kilgorelaw.com
Theodore C. Anderson
State Bar No. 01215700
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COUNSEL FOR PLAINTIFFS

CERTIFICATE OF SERVICE

This is to certify that a true and correct copy of the foregoing was served upon Defendant's counsel of record by the method indicated below this 15th day of May, 2013 as follows:

By E-mail and U.S. First Class Mail

Eugene Scalia escalia@gibsondunn.com
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Robert E. Goodman, Jr.

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION

MARK T. EDDINGSTON,	§	
JEFFERY M. DAVIS,	§	
ELRIDGE NICHOLAS BOLLICH,	§	
RAY A. COX and GEORGE GALANIS,	§	
	§	
Plaintiffs,	§	Civil Action No. 2:12-CV-00422
	§	
v.	§	
	§	
UBS FINANCIAL SERVICES, INC.,	§	
	§	
Defendant.	§	**JURY TRIAL DEMANDED**

PLAINTIFF, JEFFERY M. DAVIS', FIRST AMENDED ANSWERS TO FIRST AND SECOND SETS OF INTERROGATORIES PROPOUNDED BY DEFENDANT

Plaintiff, Jeffery M. Davis, hereby provides the following first amended answers to Defendant's first and second sets of interrogatories

1. Identify each and every person who assisted you in answering these Interrogatories and in responding to Defendant's First Request for Production of Documents, and specify to which Interrogatory and Document Request and subpart that person provided assistance or input and the nature of such assistance or input.

ANSWER:

I was aided in the answering of these interrogatories by my attorney, Robert E. Goodman, Jr., and his paralegal, Tara Mills. They assisted me in understanding all of the interrogatories and requests and, where indicated below, provided input based on information and documents of which they have become aware through the process of discovery.

2. For each person you believe has knowledge of any of the facts underlying any of the claims in the Amended Complaint or the subject matter of this litigation, please state: (a) full name, last known home and business addresses and telephone numbers, and relationship to you; (b) current employer and position and, if formerly employed by Defendant, state when and what position; (c) the facts or information which you believe to be the substance of his or her knowledge and the source of such knowledge; and (d) the identity of any documents which relate to the person's information or knowledge, including without limitation any written statements.

ANSWER:

I am the only individual with knowledge of the underlying facts in the Amended Complaint as they apply to me. My business address and telephone number is as follows:

Morgan Stanley
5001 Spring Valley Road
Suite 900W
Dallas, Texas 75244
972-774-6720

I was formerly a financial advisor of Defendant, between December 1998 and January 2009, and am currently employed by Morgan Stanley. The facts or information underlying claims asserted in this action or the subject matter of this action within my knowledge are based on my employment with Defendant and consist of my participation in Defendant's PartnerPlus Plan for Financial Advisors (the "Plan") by the making of deferrals thereunder and then forfeiture of amounts accrued for my benefit thereunder after my separation from Defendant. The documents which relate to my information or knowledge consist of the documents referred to in the Amended Complaint and any documents I have produced pursuant to Defendant's first and second requests for production of documents. I believe the other Plaintiffs in this action and the related Bill Hendricks, et al. v. UBS Financial Services, Inc. action have similar knowledge of similar facts based on similar sources. I also believe multiple branch managers of Defendant who may or may not be Plaintiffs have knowledge of facts underlying claims asserted in the Amended Complaint or the subject matter of this action. In that connection, I am also aware of one or more projections of amounts deferred under the Plan, such as those being produced by Plaintiffs concurrently with these Amended Answers. My counsel is aware of other persons believed to have knowledge of facts underlying the claims in the Amended Complaint or the subject matter of this action, not limited to Matthew Levitan and the persons referred to in his deposition taken on May 14, 2013, and also is aware of documents which relate to that or those persons' knowledge or information, being the documents referred to in the deposition and made exhibits at such deposition, in particular Exhibits 2 through 12, and documents produced by Defendant in this action and the related Bill Hendricks, et al. v. UBS Financial Services, Inc. action. My counsel is also aware of other persons who have knowledge of facts underlying the claims asserted in the Amended Complaint identified in documents produced by other Plaintiffs and Defendant, and in the depositions of Plaintiffs which have been taken in this action and the related Bill Hendricks, et al. v. UBS Financial Services, Inc. action, including those referred to in the answer to Interrogatory No. 10.

3. Identify each and every person, other than your attorneys, with whom you have discussed the allegations in the Amended Complaint or the subject matter of this litigation, and for each such person, please state: (a) the full name, last known home and business addresses and telephone numbers, and relationship to you; (b) when and where the discussion(s) or communication(s) took place; (c) the identity of each person present during such discussion(s) or communications(s); and (d) the identity of any documents concerning the discussions(s), correspondence, or communications(s), including without limitation any written statements.

ANSWER:

I have had no discussions other than those with other Plaintiffs in this action. Such discussions occurred within a brief period prior to the filing of this action or have occurred since, by telephone. No documents exist concerning such discussions.

4. Identify each person from Defendant who, either individually or as part of a group, communicated with you, orally or in writing, regarding the Plan. For each such person, specify the nature of the communication; the date when the communication took place; what the individual said about the Plan; what statements, if any, you made during the communication; witnesses, if any, to the communication(s); and any notes or documents relating to the communication(s).

ANSWER:

I object to this interrogatory on the ground that the request seeks information that is not relevant in that it requests information related to the merits of the case rather than the issue of class certification. Subject to and without waiving the foregoing objection, I have had no discussions other than those involving other Plaintiffs in this action referred to in my answer to Interrogatory No. 3.

5. Identify in detail your calculations as to damages and any other relief to which you believe you are entitled and for which you seek redress against Defendant, and for each element of damages or other relief identify: (a) each and every fact upon which you base your entitlement contention; (b) all documents relating or referring to any facts which form the bases of your entitlement contention; (c) each and every person who may have knowledge of the facts underlying your entitlement contention; and (d) each and every document relating to your alleged damages and any other information provided in your answer to this Interrogatory.

ANSWER:

I object to this interrogatory as overly broad and burdensome. The information is possessed and known by Defendant. Subject to and without waiving the foregoing objection, Firm Contributions, Market Interest and Turbo Interest forfeited as calculated by The Newport Group are the basis for my damage calculations. I have attached a copy of the forfeiture calculation.

6. Identify any person (other than counsel) from whom you or your attorneys have obtained or will obtain a written statement of any kind relating to any fact, allegation, claim, issue or defense raised in this action. For each such person, describe the substance of such statements. Identify all documents relating to same.

ANSWER:

I object to this interrogatory on the ground that the request seeks information that is not relevant in that it requests information related to the merits of the case rather than the issue of class certification. Subject to and without waiving the foregoing objection, I provided a declaration in connection with Defendant's motion to dismiss this action. I am aware of declarations also obtained from other Plaintiffs in connection with Defendant's motion to dismiss and am aware of the deposition of Mr. Levitan. I have not reviewed the substance of the deposition of Mr. Levitan, or the documents relating to his deposition, but they will be evidenced by the transcript of his deposition and the exhibits to the deposition.

7. If, in support of your claims as described in the Amended Complaint, you rely on any specific communications or documents which you contend directly evidence or support your allegations, identify each and every such communication or document.

ANSWER:

I object to this interrogatory on the ground that the request seeks information that is not relevant in that it requests information related to the merits of the case rather than the issue of class certification. Subject to and without waiving the foregoing objection, the communications and documents relied on in support of my claim as described in the Amended Complaint are those referred to in the Amended Complaint and the document referred to in my answer to Interrogatory No. 5. I understand that the communications and documents also include all documents produced by me and other Plaintiffs in this action and the related Bill Hendricks, et al. v. UBS Financial Services, Inc. action and all documents produced by Defendant, in particular Exhibits 2 through 12 at the deposition of Mr. Levitan.

8. If you contend that Defendant, by any of its officers, agents managers, or employees, has made any admissions or declarations against interest concerning the subject matter of this action, please identify the person making the statement and identify the statement allegedly made (and if in writing, attach a copy).

ANSWER:

I object to this interrogatory on the ground that the request seeks information that is not relevant in that it requests information related to the merits of the case rather than the issue of class certification. Subject to and without waiving the foregoing objection, such persons have not been identified at this time. I am also aware that Mr. Levitan made multiple admissions against interest or declarations against interest in his deposition. Also, Plaintiffs and Defendant have produced documents in this action and the related Bill Hendricks, et al. v. UBS Financial Services, Inc. action documents containing admissions and declarations against interest, including specifically Exhibits 2 through 12 at Mr. Levitan's deposition and documents produced concurrently with these Amended Answers. Also, Plaintiffs who have testified in this and the

related Bill Hendricks, et al. v. UBS Financial Services, Inc. action have testified to admission or statements against interest of Defendant.

9. Describe in detail any communications with potential class members regarding this litigation. For each such person, specify the nature of the communication, the date when the communication took place, what was said by the potential class member, what statements, if any, you made during the communication, witnesses, if any, and any notes you took of the communication.

ANSWER:

None, except for any communications referred to in the answer to Interrogatory No. 2. I took no notes of the communications.

10. Identify each person whom you intend to call as a witness at any hearing or trial in this matter.

ANSWER:

I object to this interrogatory on the ground that the request seeks information that is not relevant in that it requests information related to the merits of the case rather than the issue of class certification. Subject to and without waiving the foregoing objection, I have yet to determine who will be called as a witness at any hearing or trial. However, it is possible that all Plaintiffs in this action or the related Bill Hendricks, et al. v. UBS Financial Services, Inc. action will testify as a witness at any hearing or trial, or that Mr. Levitan and any other persons he mentioned in his deposition or identified in documents produced by me or other Plaintiffs in this action and the related Bill Hendricks, et al. v. UBS Financial Services, Inc. action or produced by Defendant or identified by Mr. Stacy and Mr. Eddingston in their depositions will be called as a witness at any hearing or trial.

At this time, Plaintiffs specifically identify the following individuals who have relevant knowledge and may be called as witnesses at any trial or hearing in this action or the related Bill Hendricks, et al. v. UBS Financial Services, Inc. action:

(a) Rebeca Ferreira, Associate Director
UBS Financial Services, Inc.

(b) Dana Gary, Authorized Officer, FA Compensation
UBS Financial Services, Inc.

(c) Robert McCormick, Executive Director, head of Benefits
UBS Financial Services, Inc.

(d) Joe Sabatello, Director, HR Compensation
UBS Financial Services, Inc.

(e) Rosemarie Albergo, Executive Director, WM US Acounting
UBS Financial Services, Inc.

(f) Grace Kosiecki, Assistant Vice President, HR Compensation Accounting
UBS Financial Services, Inc.

(g) Leticia Waelz, Director/ Compensation and Benefits Communications
UBS Financial Services, Inc.

(h) Kevin Guiney, Associated Director/ HR Field Comp
UBS Financial Services, Inc.

(i) Isabella Kent, Authorized Officer IT/ FA Comp Support
UBS Financial Services, Inc.

(j) Rob Himics, Authorized Officer/ IT for HR
UBS Financial Services, Inc.

(k) Bret Dodson, Senior Client Relationship Manager
The Newport Group

(l) Ryan Simmons, Plan Administrator
The Newport Group

(m) Craig Sheets, Senior Accounting Associate
The Newport Group

(n) Jeff Welte, Senior Implementation Project Manager
The Newport Group

(o) Michelle Wilder, Implementation Specialist
The Newport Group

(p) Glenna Bayles, Vice President, Client Services
The Newport Group

(q) Nicola Harrell, Director, Implementation and Conversions
The Newport Group

(r) Teresa Sherrard, Vice President, Accounting Services
The Newport Group

(s) Mike Shannon, Senior Consultant
The Newport Group

(t) Andrew Eldredge, Vice President, Non-qualified Administration
The Newport Group

(u) Laura E. Simmons, Ph.D., Senior Advisor
Cornerstone Research

(v) Alan M. Johnson
Johnson Associates, Inc.

11. Identify all employers (including yourself) who have offered you employment or for whom you have worked since your employment with UBS ended and through the date of trial, identifying: the company name, address, and location; the dates you were employed by such other employers (including yourself); your positions with such employers; your supervisors' names and titles; a brief description of your job duties; your rate of pay as well as earnings, compensation and other benefits you received during such employment; and if you left the employment, the reasons for your separation from employment.

ANSWER:

I object to this interrogatory on the ground that the request seeks information that is not relevant to any claim or defense or calculated to lead to admissible evidence relevant to a claim or defense other than information as to my participation in the PartnerPlus Plan. Subject to and without waiving the foregoing objection, the names of, and dates of my employment, with subsequent employers, this information is readily available to you on FINRA BrokerCheck.

12. For all employers identified in response to the foregoing interrogatory, identify and describe your efforts to become employed with such employer, including each person who recruited you; each person who interviewed you; the date you first expressed interest in employment with the employer; your reasons for seeking employment outside UBS; any pre-employment communications with representatives of the employer; any applications or resumes submitted; and your reasons for accepting such employment.

ANSWER:

I object to this interrogatory on the ground that the request seeks information that is not relevant to any claim or defense or calculated to lead to admissible evidence relevant to a claim or defense other than information as to my participation in the PartnerPlus Plan.

VERIFICATION

STATE OF TEXAS §
§
COUNTY OF DALLAS §

Before me, the undersigned Notary Public, personally appeared Jeffery M. Davis, who, being by me duly sworn, deposed and stated that he is a Plaintiff in this action and that the facts stated in the foregoing Plaintiff, Jeffery M. Davis', First Amended Answers to First and Second Sets of Interrogatories Propounded by Defendant are within his personal knowledge and are true and correct.

____
Jeffery M. Davis

SUBSCRIBED AND SWORN TO BEFORE ME this _______day of May, 2013.

____
Notary Public

Respectfully submitted,

____

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COUNSEL FOR PLAINTIFFS

CERTIFICATE OF SERVICE

This is to certify that a true and correct copy of the foregoing was served upon Defendant's counsel of record by the method indicated below this 15th day of May, 2013 as follows:

By E-mail and U.S. First Class Mail

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Marshall, Texas 75671

Robert E. Goodman, Jr.

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION

MARK T. EDDINGSTON,	§	
JEFFERY M. DAVIS,	§	
ELRIDGE NICHOLAS BOLLICH,	§	
RAY A. COX and GEORGE GALANIS,	§	
	§	
Plaintiffs,	§	Civil Action No. 2:12-CV-00422
	§	
v.	§	
	§	
UBS FINANCIAL SERVICES, INC.,	§	
	§	
Defendant.	§	**JURY TRIAL DEMANDED**

PLAINTIFF, ELRIDGE NICHOLAS BOLLICH'S, FIRST AMENDED ANSWERS TO FIRST AND SECOND SETS OF INTERROGATORIES PROPOUNDED BY DEFENDANT

Plaintiff, Elridge Nicholas Bollich, hereby provides the following first amended answers to Defendant's first and second sets of interrogatories

1. Identify each and every person who assisted you in answering these Interrogatories and in responding to Defendant's First Request for Production of Documents, and specify to which Interrogatory and Document Request and subpart that person provided assistance or input and the nature of such assistance or input.

ANSWER:

I was aided in the answering of these interrogatories by my attorney, Robert E. Goodman, Jr., and his paralegal, Tara Mills. They assisted me in understanding all of the interrogatories and requests and, where indicated below, provided input based on information and documents of which they have become aware through the process of discovery.

2. For each person you believe has knowledge of any of the facts underlying any of the claims in the Amended Complaint or the subject matter of this litigation, please state: (a) full name, last known home and business addresses and telephone numbers, and relationship to you; (b) current employer and position and, if formerly employed by Defendant, state when and what position; (c) the facts or information which you believe to be the substance of his or her

knowledge and the source of such knowledge; and (d) the identity of any documents which relate to the person's information or knowledge, including without limitation any written statements.

ANSWER:

I am the only individual with knowledge of the underlying facts in the Amended Complaint as they apply to me. My business address and telephone number is as follows:

Southwest Securities, Inc.
3 Riverway
Suite 1400
Houston, Texas 77056
713-808-6900

I was formerly a financial advisor of Defendant, between June 1997 and May 2009, and am currently employed by Southwest Securities, Inc. The facts or information underlying claims asserted in this action or the subject matter of this action within my knowledge are based on my employment with Defendant and consist of my participation in Defendant's PartnerPlus Plan for Financial Advisors (the "Plan") by the making of deferrals thereunder and then forfeiture of amounts accrued for my benefit thereunder after my separation from Defendant. The documents which relate to my information or knowledge consist of the documents referred to in the Amended Complaint and any documents I have produced pursuant to Defendant's first and second requests for production of documents. I believe the other Plaintiffs in this action and the related Bill Hendricks, et al. v. UBS Financial Services, Inc. action have similar knowledge of similar facts based on similar sources. I also believe multiple branch managers of Defendant who may or may not be Plaintiffs have knowledge of facts underlying claims asserted in the Amended Complaint or the subject matter of this action. In that connection, I am also aware of one or more projections of amounts deferred under the Plan, such as those being produced by Plaintiffs concurrently with these Amended Answers. My counsel is aware of other persons believed to have knowledge of facts underlying the claims in the Amended Complaint or the subject matter of this action, not limited to Matthew Levitan and the persons referred to in his deposition taken on May 14, 2013, and also is aware of documents which relate to that or those persons' knowledge or information, being the documents referred to in the deposition and made exhibits at such deposition, in particular Exhibits 2 through 12, and documents produced by Defendant in this action and the related Bill Hendricks, et al. v. UBS Financial Services, Inc. action. My counsel is also aware of other persons who have knowledge of facts underlying the claims asserted in the Amended Complaint identified in documents produced by other Plaintiffs and Defendant, and in the depositions of Plaintiffs which have been taken in this action and the related Bill Hendricks, et al. v. UBS Financial Services, Inc. action, including those referred to in the answer to Interrogatory No. 10.

3. Identify each and every person, other than your attorneys, with whom you have discussed the allegations in the Amended Complaint or the subject matter of this litigation, and for each such person, please state: (a) the full name, last known home and business addresses and telephone numbers, and relationship to you; (b) when and where the discussion(s) or communication(s) took place; (c) the identity of each person present during such discussion(s) or

communications(s); and (d) the identity of any documents concerning the discussions(s), correspondence, or communications(s), including without limitation any written statements.

ANSWER:

I have had no discussions other than those with other Plaintiffs in this action. Such discussions occurred within a brief period prior to the filing of this action or have occurred since, by telephone. No documents exist concerning such discussions.

4. Identify each person from Defendant who, either individually or as part of a group, communicated with you, orally or in writing, regarding the Plan. For each such person, specify the nature of the communication; the date when the communication took place; what the individual said about the Plan; what statements, if any, you made during the communication; witnesses, if any, to the communication(s); and any notes or documents relating to the communication(s).

ANSWER:

I object to this interrogatory on the ground that the request seeks information that is not relevant in that it requests information related to the merits of the case rather than the issue of class certification. Subject to and without waiving the foregoing objection, I have had no discussions other than those involving other Plaintiffs in this action referred to in my answer to Interrogatory No. 3.

5. Identify in detail your calculations as to damages and any other relief to which you believe you are entitled and for which you seek redress against Defendant, and for each element of damages or other relief identify: (a) each and every fact upon which you base your entitlement contention; (b) all documents relating or referring to any facts which form the bases of your entitlement contention; (c) each and every person who may have knowledge of the facts underlying your entitlement contention; and (d) each and every document relating to your alleged damages and any other information provided in your answer to this Interrogatory.

ANSWER:

I object to this interrogatory as overly broad and burdensome. The information is possessed and known by Defendant. Subject to and without waiving the foregoing objection, Firm Contributions, Market Interest and Turbo Interest forfeited as calculated by The Newport Group are the basis for my damage calculations. I have attached a copy of the forfeiture calculation.

6. Identify any person (other than counsel) from whom you or your attorneys have obtained or will obtain a written statement of any kind relating to any fact, allegation, claim, issue or defense raised in this action. For each such person, describe the substance of such statements. Identify all documents relating to same.

ANSWER:

I object to this interrogatory on the ground that the request seeks information that is not relevant in that it requests information related to the merits of the case rather than the issue of class certification. Subject to and without waiving the foregoing objection, I provided a declaration in connection with Defendant's motion to dismiss this action. I am aware of declarations also obtained from other Plaintiffs in connection with Defendant's motion to dismiss and am aware of the deposition of Mr. Levitan. I have not reviewed the substance of the deposition of Mr. Levitan, or the documents relating to his deposition, but they will be evidenced by the transcript of his deposition and the exhibits to the deposition.

7. If, in support of your claims as described in the Amended Complaint, you rely on any specific communications or documents which you contend directly evidence or support your allegations, identify each and every such communication or document.

ANSWER:

I object to this interrogatory on the ground that the request seeks information that is not relevant in that it requests information related to the merits of the case rather than the issue of class certification. Subject to and without waiving the foregoing objection, the communications and documents relied on in support of my claim as described in the Amended Complaint are those referred to in the Amended Complaint and the document referred to in my answer to Interrogatory No. 5. I understand that the communications and documents also include all documents produced by me and other Plaintiffs in this action and the related Bill Hendricks, et al. v. UBS Financial Services, Inc. action and all documents produced by Defendant, in particular Exhibits 2 through 12 at the deposition of Mr. Levitan.

8. If you contend that Defendant, by any of its officers, agents managers, or employees, has made any admissions or declarations against interest concerning the subject matter of this action, please identify the person making the statement and identify the statement allegedly made (and if in writing, attach a copy).

ANSWER:

I object to this interrogatory on the ground that the request seeks information that is not relevant in that it requests information related to the merits of the case rather than the issue of class certification. Subject to and without waiving the foregoing objection, such persons have not been identified at this time. I am also aware that Mr. Levitan made multiple admissions against interest or declarations against interest in his deposition. Also, Plaintiffs and Defendant have produced documents in this action and the related Bill Hendricks, et al. v. UBS Financial Services, Inc. action documents containing admissions and declarations against interest, including specifically Exhibits 2 through 12 at Mr. Levitan's deposition and documents produced concurrently with these Amended Answers. Also, Plaintiffs who have testified in this and the

related Bill Hendricks, et al. v. UBS Financial Services, Inc. action have testified to admission or statements against interest of Defendant.

9. Describe in detail any communications with potential class members regarding this litigation. For each such person, specify the nature of the communication, the date when the communication took place, what was said by the potential class member, what statements, if any, you made during the communication, witnesses, if any, and any notes you took of the communication.

ANSWER:

None, except for any communications referred to in the answer to Interrogatory No. 2. I took no notes of the communications.

10. Identify each person whom you intend to call as a witness at any hearing or trial in this matter.

ANSWER:

I object to this interrogatory on the ground that the request seeks information that is not relevant in that it requests information related to the merits of the case rather than the issue of class certification. Subject to and without waiving the foregoing objection, I have yet to determine who will be called as a witness at any hearing or trial. However, it is possible that all Plaintiffs in this action or the related Bill Hendricks, et al. v. UBS Financial Services, Inc. action will testify as a witness at any hearing or trial, or that Mr. Levitan and any other persons he mentioned in his deposition or identified in documents produced by me or other Plaintiffs in this action and the related Bill Hendricks, et al. v. UBS Financial Services, Inc. action or produced by Defendant or identified by Mr. Stacy and Mr. Eddingston in their depositions will be called as a witness at any hearing or trial.

At this time, Plaintiffs specifically identify the following individuals who have relevant knowledge and may be called as witnesses at any trial or hearing in this action or the related Bill Hendricks, et al. v. UBS Financial Services, Inc. action:

(a) Rebeca Ferreira, Associate Director
UBS Financial Services, Inc.

(b) Dana Gary, Authorized Officer, FA Compensation
UBS Financial Services, Inc.

(c) Robert McCormick, Executive Director, head of Benefits
UBS Financial Services, Inc.

(d) Joe Sabatello, Director, HR Compensation
UBS Financial Services, Inc.

(e) Rosemarie Albergo, Executive Director, WM US Acounting
UBS Financial Services, Inc.

(f) Grace Kosiecki, Assistant Vice President, HR Compensation Accounting
UBS Financial Services, Inc.

(g) Leticia Waelz, Director/ Compensation and Benefits Communications
UBS Financial Services, Inc.

(h) Kevin Guiney, Associated Director/ HR Field Comp
UBS Financial Services, Inc.

(i) Isabella Kent, Authorized Officer IT/ FA Comp Support
UBS Financial Services, Inc.

(j) Rob Himics, Authorized Officer/ IT for HR
UBS Financial Services, Inc.

(k) Bret Dodson, Senior Client Relationship Manager
The Newport Group

(l) Ryan Simmons, Plan Administrator
The Newport Group

(m) Craig Sheets, Senior Accounting Associate
The Newport Group

(n) Jeff Welte, Senior Implementation Project Manager
The Newport Group

(o) Michelle Wilder, Implementation Specialist
The Newport Group

(p) Glenna Bayles, Vice President, Client Services
The Newport Group

(q) Nicola Harrell, Director, Implementation and Conversions
The Newport Group

(r) Teresa Sherrard, Vice President, Accounting Services
The Newport Group

(s) Mike Shannon, Senior Consultant
The Newport Group

(t) Andrew Eldredge, Vice President, Non-qualified Administration
The Newport Group

(u) Laura E. Simmons, Ph.D., Senior Advisor
Cornerstone Research

(v) Alan M. Johnson
Johnson Associates, Inc.

11. Identify all employers (including yourself) who have offered you employment or for whom you have worked since your employment with UBS ended and through the date of trial, identifying: the company name, address, and location; the dates you were employed by such other employers (including yourself); your positions with such employers; your supervisors' names and titles; a brief description of your job duties; your rate of pay as well as earnings, compensation and other benefits you received during such employment; and if you left the employment, the reasons for your separation from employment.

ANSWER:

I object to this interrogatory on the ground that the request seeks information that is not relevant to any claim or defense or calculated to lead to admissible evidence relevant to a claim or defense other than information as to my participation in the PartnerPlus Plan. Subject to and without waiving the foregoing objection, the names of, and dates of my employment, with subsequent employers, this information is readily available to you on FINRA BrokerCheck.

12. For all employers identified in response to the foregoing interrogatory, identify and describe your efforts to become employed with such employer, including each person who recruited you; each person who interviewed you; the date you first expressed interest in employment with the employer; your reasons for seeking employment outside UBS; any pre-employment communications with representatives of the employer; any applications or resumes submitted; and your reasons for accepting such employment.

ANSWER:

I object to this interrogatory on the ground that the request seeks information that is not relevant to any claim or defense or calculated to lead to admissible evidence relevant to a claim or defense other than information as to my participation in the PartnerPlus Plan.

VERIFICATION

STATE OF TEXAS §
§
COUNTY OF HARRIS §

Before me, the undersigned Notary Public, personally appeared Elridge Nicholas Bollich, who, being by me duly sworn, deposed and stated that he is a Plaintiff in this action and that the facts stated in the foregoing Plaintiff, Elridge Nicholas Bollich, First Amended Answers to First and Second Sets of Interrogatories Propounded by Defendant are within his personal knowledge and are true and correct.

____
Elridge Nicholas Bollich

SUBSCRIBED AND SWORN TO BEFORE ME this _______day of May, 2013.

____
Notary Public

Respectfully submitted,

____

Robert E. Goodman, Jr., Lead Attorney
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reg@kilgorelaw.com
Theodore C. Anderson
State Bar No. 01215700
tca@kilgorelaw.com
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(903) 923-9000; (903) 923-9099 (telecopy)

COUNSEL FOR PLAINTIFFS

CERTIFICATE OF SERVICE

This is to certify that a true and correct copy of the foregoing was served upon Defendant's counsel of record by the method indicated below this 15th day of May, 2013 as follows:

By E-mail and U.S. First Class Mail

Eugene Scalia Paul Blankenstein Gibson Dunn 1050 Connecticut Avenue, NW Washington, D.C. 20036-5306	escalia@gibsondunn.com pblankenstein@gibsondunn.com
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Ira G. Rosenstein Samuel S. Shaulson Morgan Lewis & Bockius, LLP 101 Park Avenue New York, New York 10178-0060	irosenstein@morganlewis.com sshaulson@morganlewis.com
Ellen LeGrand Perlioni Morgan Lewis & Bockius, LLP 1717 Main Street Dallas, Texas 75201	ellen.perlioni@morganlewis.com
Lawrence Augustine Phillips Siebman, Burg, Phillips & Smith, LLP 300 North Travis Street Sherman, Texas 75090	larryphillips@siebman.com
Michael C. Smith Siebman, Burg, Phillips & Smith, LLP 113 East Austin Street Marshall, Texas 75671	michaelsmith@siebaln.com

Robert E. Goodman, Jr.

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION

MARK T. EDDINGSTON,	§	
JEFFERY M. DAVIS,	§	
ELRIDGE NICHOLAS BOLLICH,	§	
RAY A. COX and GEORGE GALANIS,	§	
	§	
Plaintiffs,	§	Civil Action No. 2:12-CV-00422
	§	
v.	§	
	§	
UBS FINANCIAL SERVICES, INC.,	§	
	§	
Defendant.	§	**JURY TRIAL DEMANDED**

PLAINTIFF, RAY A. COX'S, FIRST AMENDED ANSWERS TO FIRST AND SECOND SETS OF INTERROGATORIES PROPOUNDED BY DEFENDANT

Plaintiff, Ray A. Cox, hereby provides the following first amended answers to Defendant's first and second sets of interrogatories

1. Identify each and every person who assisted you in answering these Interrogatories and in responding to Defendant's First Request for Production of Documents, and specify to which Interrogatory and Document Request and subpart that person provided assistance or input and the nature of such assistance or input.

ANSWER:

I was aided in the answering of these interrogatories by my attorney, Robert E. Goodman, Jr., and his paralegal, Tara Mills. They assisted me in understanding all of the interrogatories and requests and, where indicated below, provided input based on information and documents of which they have become aware through the process of discovery.

2. For each person you believe has knowledge of any of the facts underlying any of the claims in the Amended Complaint or the subject matter of this litigation, please state: (a) full name, last known home and business addresses and telephone numbers, and relationship to you; (b) current employer and position and, if formerly employed by Defendant, state when and what position; (c) the facts or information which you believe to be the substance of his or her knowledge and the source of such knowledge; and (d) the identity of any documents which relate to the person's information or knowledge, including without limitation any written statements.

ANSWER:

I am the only individual with knowledge of the underlying facts in the Amended Complaint as they apply to me. My business address and telephone number is as follows:

Morgan Stanley
680Biddle Road
Medford, Oregon 97504
541-779-5010

I was formerly a financial advisor of Defendant, between March 1993 and January 2010, and am currently employed by Morgan Stanley. The facts or information underlying claims asserted in this action or the subject matter of this action within my knowledge are based on my employment with Defendant and consist of my participation in Defendant's PartnerPlus Plan for Financial Advisors (the "Plan") by the making of deferrals thereunder and then forfeiture of amounts accrued for my benefit thereunder after my separation from Defendant. The documents which relate to my information or knowledge consist of the documents referred to in the Amended Complaint and any documents I have produced pursuant to Defendant's first and second requests for production of documents. I believe the other Plaintiffs in this action and the related Bill Hendricks, et al. v. UBS Financial Services, Inc. action have similar knowledge of similar facts based on similar sources. I also believe multiple branch managers of Defendant who may or may not be Plaintiffs have knowledge of facts underlying claims asserted in the Amended Complaint or the subject matter of this action. In that connection, I am also aware of one or more projections of amounts deferred under the Plan, such as those being produced by Plaintiffs concurrently with these Amended Answers. My counsel is aware of other persons believed to have knowledge of facts underlying the claims in the Amended Complaint or the subject matter of this action, not limited to Matthew Levitan and the persons referred to in his deposition taken on May 14, 2013, and also is aware of documents which relate to that or those persons' knowledge or information, being the documents referred to in the deposition and made exhibits at such deposition, in particular Exhibits 2 through 12, and documents produced by Defendant in this action and the related Bill Hendricks, et al. v. UBS Financial Services, Inc. action. My counsel is also aware of other persons who have knowledge of facts underlying the claims asserted in the Amended Complaint identified in documents produced by other Plaintiffs and Defendant, and in the depositions of Plaintiffs which have been taken in this action and the related Bill Hendricks, et al. v. UBS Financial Services, Inc. action, including those referred to in the answer to Interrogatory No. 10.

3. Identify each and every person, other than your attorneys, with whom you have discussed the allegations in the Amended Complaint or the subject matter of this litigation, and for each such person, please state: (a) the full name, last known home and business addresses and telephone numbers, and relationship to you; (b) when and where the discussion(s) or communication(s) took place; (c) the identity of each person present during such discussion(s) or communications(s); and (d) the identity of any documents concerning the discussions(s), correspondence, or communications(s), including without limitation any written statements.

ANSWER:

I have had no discussions other than those with other Plaintiffs in this action. Such discussions occurred within a brief period prior to the filing of this action or have occurred since, by telephone. No documents exist concerning such discussions.

4. Identify each person from Defendant who, either individually or as part of a group, communicated with you, orally or in writing, regarding the Plan. For each such person, specify the nature of the communication; the date when the communication took place; what the individual said about the Plan; what statements, if any, you made during the communication; witnesses, if any, to the communication(s); and any notes or documents relating to the communication(s).

ANSWER:

I object to this interrogatory on the ground that the request seeks information that is not relevant in that it requests information related to the merits of the case rather than the issue of class certification. Subject to and without waiving the foregoing objection, I have had no discussions other than those involving other Plaintiffs in this action referred to in my answer to Interrogatory No. 3.

5. Identify in detail your calculations as to damages and any other relief to which you believe you are entitled and for which you seek redress against Defendant, and for each element of damages or other relief identify: (a) each and every fact upon which you base your entitlement contention; (b) all documents relating or referring to any facts which form the bases of your entitlement contention; (c) each and every person who may have knowledge of the facts underlying your entitlement contention; and (d) each and every document relating to your alleged damages and any other information provided in your answer to this Interrogatory.

ANSWER:

I object to this interrogatory as overly broad and burdensome. The information is possessed and known by Defendant. Subject to and without waiving the foregoing objection, Firm Contributions, Market Interest and Turbo Interest forfeited as calculated by The Newport Group are the basis for my damage calculations. I have attached a copy of the forfeiture calculation.

6. Identify any person (other than counsel) from whom you or your attorneys have obtained or will obtain a written statement of any kind relating to any fact, allegation, claim, issue or defense raised in this action. For each such person, describe the substance of such statements. Identify all documents relating to same.

ANSWER:

I object to this interrogatory on the ground that the request seeks information that is not relevant in that it requests information related to the merits of the case rather than the issue of class certification. Subject to and without waiving the foregoing objection, I provided a declaration in connection with Defendant's motion to dismiss this action. I am aware of declarations also obtained from other Plaintiffs in connection with Defendant's motion to dismiss and am aware of the deposition of Mr. Levitan. I have not reviewed the substance of the deposition of Mr. Levitan, or the documents relating to his deposition, but they will be evidenced by the transcript of his deposition and the exhibits to the deposition.

7. If, in support of your claims as described in the Amended Complaint, you rely on any specific communications or documents which you contend directly evidence or support your allegations, identify each and every such communication or document.

ANSWER:

I object to this interrogatory on the ground that the request seeks information that is not relevant in that it requests information related to the merits of the case rather than the issue of class certification. Subject to and without waiving the foregoing objection, the communications and documents relied on in support of my claim as described in the Amended Complaint are those referred to in the Amended Complaint and the document referred to in my answer to Interrogatory No. 5. I understand that the communications and documents also include all documents produced by me and other Plaintiffs in this action and the related Bill Hendricks, et al. v. UBS Financial Services, Inc. action and all documents produced by Defendant, in particular Exhibits 2 through 12 at the deposition of Mr. Levitan.

8. If you contend that Defendant, by any of its officers, agents managers, or employees, has made any admissions or declarations against interest concerning the subject matter of this action, please identify the person making the statement and identify the statement allegedly made (and if in writing, attach a copy).

ANSWER:

I object to this interrogatory on the ground that the request seeks information that is not relevant in that it requests information related to the merits of the case rather than the issue of class certification. Subject to and without waiving the foregoing objection, such persons have not been identified at this time. I am also aware that Mr. Levitan made multiple admissions against interest or declarations against interest in his deposition. Also, Plaintiffs and Defendant have produced documents in this action and the related Bill Hendricks, et al. v. UBS Financial Services, Inc. action documents containing admissions and declarations against interest, including specifically Exhibits 2 through 12 at Mr. Levitan's deposition and documents produced concurrently with these Amended Answers. Also, Plaintiffs who have testified in this and the

related Bill Hendricks, et al. v. UBS Financial Services, Inc. action have testified to admission or statements against interest of Defendant.

9. Describe in detail any communications with potential class members regarding this litigation. For each such person, specify the nature of the communication, the date when the communication took place, what was said by the potential class member, what statements, if any, you made during the communication, witnesses, if any, and any notes you took of the communication.

ANSWER:

None, except for any communications referred to in the answer to Interrogatory No. 2. I took no notes of the communications.

10. Identify each person whom you intend to call as a witness at any hearing or trial in this matter.

ANSWER:

I object to this interrogatory on the ground that the request seeks information that is not relevant in that it requests information related to the merits of the case rather than the issue of class certification. Subject to and without waiving the foregoing objection, I have yet to determine who will be called as a witness at any hearing or trial. However, it is possible that all Plaintiffs in this action or the related Bill Hendricks, et al. v. UBS Financial Services, Inc. action will testify as a witness at any hearing or trial, or that Mr. Levitan and any other persons he mentioned in his deposition or identified in documents produced by me or other Plaintiffs in this action and the related Bill Hendricks, et al. v. UBS Financial Services, Inc. action or produced by Defendant or identified by Mr. Stacy and Mr. Eddingston in their depositions will be called as a witness at any hearing or trial.

At this time, Plaintiffs specifically identify the following individuals who have relevant knowledge and may be called as witnesses at any trial or hearing in this action or the related Bill Hendricks, et al. v. UBS Financial Services, Inc. action:

(a) Rebeca Ferreira, Associate Director
UBS Financial Services, Inc.

(b) Dana Gary, Authorized Officer, FA Compensation
UBS Financial Services, Inc.

(c) Robert McCormick, Executive Director, head of Benefits
UBS Financial Services, Inc.

(d) Joe Sabatello, Director, HR Compensation
UBS Financial Services, Inc.

(e) Rosemarie Albergo, Executive Director, WM US Acounting
UBS Financial Services, Inc.

(f) Grace Kosiecki, Assistant Vice President, HR Compensation Accounting
UBS Financial Services, Inc.

(g) Leticia Waelz, Director/ Compensation and Benefits Communications
UBS Financial Services, Inc.

(h) Kevin Guiney, Associated Director/ HR Field Comp
UBS Financial Services, Inc.

(i) Isabella Kent, Authorized Officer IT/ FA Comp Support
UBS Financial Services, Inc.

(j) Rob Himics, Authorized Officer/ IT for HR
UBS Financial Services, Inc.

(k) Bret Dodson, Senior Client Relationship Manager
The Newport Group

(l) Ryan Simmons, Plan Administrator
The Newport Group

(m)Craig Sheets, Senior Accounting Associate
The Newport Group

(n) Jeff Welte, Senior Implementation Project Manager
The Newport Group

(o) Michelle Wilder, Implementation Specialist
The Newport Group

(p) Glenna Bayles, Vice President, Client Services
The Newport Group

(q) Nicola Harrell, Director, Implementation and Conversions
The Newport Group

(r) Teresa Sherrard, Vice President, Accounting Services
The Newport Group

(s) Mike Shannon, Senior Consultant
The Newport Group

(t) Andrew Eldredge, Vice President, Non-qualified Administration
The Newport Group

(u) Laura E. Simmons, Ph.D., Senior Advisor
Cornerstone Research

(v) Alan M. Johnson
Johnson Associates, Inc.

11. Identify all employers (including yourself) who have offered you employment or for whom you have worked since your employment with UBS ended and through the date of trial, identifying: the company name, address, and location; the dates you were employed by such other employers (including yourself); your positions with such employers; your supervisors' names and titles; a brief description of your job duties; your rate of pay as well as earnings, compensation and other benefits you received during such employment; and if you left the employment, the reasons for your separation from employment.

ANSWER:

I object to this interrogatory on the ground that the request seeks information that is not relevant to any claim or defense or calculated to lead to admissible evidence relevant to a claim or defense other than information as to my participation in the PartnerPlus Plan. Subject to and without waiving the foregoing objection, the names of, and dates of my employment, with subsequent employers, this information is readily available to you on FINRA BrokerCheck.

12. For all employers identified in response to the foregoing interrogatory, identify and describe your efforts to become employed with such employer, including each person who recruited you; each person who interviewed you; the date you first expressed interest in employment with the employer; your reasons for seeking employment outside UBS; any pre-employment communications with representatives of the employer; any applications or resumes submitted; and your reasons for accepting such employment.

ANSWER:

I object to this interrogatory on the ground that the request seeks information that is not relevant to any claim or defense or calculated to lead to admissible evidence relevant to a claim or defense other than information as to my participation in the PartnerPlus Plan.

VERIFICATION

STATE OF OREGON §
§
COUNTY OF JACKSON §

Before me, the undersigned Notary Public, personally appeared Ray A. Cox, who, being by me duly sworn, deposed and stated that he is a Plaintiff in this action and that the facts stated in the foregoing Plaintiff, Ray A. Cox's, First Amended Answers to First and Second Sets of Interrogatories Propounded by Defendant are within his personal knowledge and are true and correct.

____
Ray A. Cox

SUBSCRIBED AND SWORN TO BEFORE ME this _______day of May, 2013.

____
Notary Public

Respectfully submitted,

____

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COUNSEL FOR PLAINTIFFS

CERTIFICATE OF SERVICE

This is to certify that a true and correct copy of the foregoing was served upon Defendant's counsel of record by the method indicated below this 15th day of May, 2013 as follows:

By E-mail and U.S. First Class Mail

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Paul Blankenstein — pblankenstein@gibsondunn.com
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Washington, D.C. 20036-5306

Charles C. Jackson — charles.jackson@morganlewis.com
Deborah S. Davidson — ddavidson@morganlewis.com
Andrew Scroggins — ascroggins@morganlewis.com
Morgan Lewis & Bockius, LLP
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Ira G. Rosenstein — irosenstein@morganlewis.com
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101 Park Avenue
New York, New York 10178-0060

Ellen LeGrand Perlioni — ellen.perlioni@morganlewis.com
Morgan Lewis & Bockius, LLP
1717 Main Street
Dallas, Texas 75201

Lawrence Augustine Phillips — larryphillips@siebman.com
Siebman, Burg, Phillips & Smith, LLP
300 North Travis Street
Sherman, Texas 75090

Michael C. Smith — michaelsmith@siebaln.com
Siebman, Burg, Phillips & Smith, LLP
113 East Austin Street
Marshall, Texas 75671

____
Robert E. Goodman, Jr.

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION

BILL HENDRICKS and AUBREY B. STACY,	§	
	§	
Plaintiffs,	§	
	§	
V.	§	Civil Action No. 2:12-CV-00606
	§	
UBS FINANCIAL SERVICES, INC.	§	
	§	
Defendant.	§	

PLAINTIFF, AUBREY B. STACY'S, FIRST AMENDED ANSWERS TO FIRST AND SECOND SETS OF INTERROGATORIES PROPOUNDED BY DEFENDANT

Plaintiff, Aubrey B. Stacy, hereby provides the following first amended answers to Defendant's first and second sets of interrogatories

1. Identify each and every person who assisted you in answering these Interrogatories and in responding to Defendant's First Request for Production of Documents, and specify to which Interrogatory and Document Request and subpart that person provided assistance or input and the nature of such assistance or input.

ANSWER:

I was aided in the answering of these interrogatories by my attorney, Robert E. Goodman, Jr., and his paralegal, Tara Mills. They assisted me in understanding all of the interrogatories and requests and, where indicated below, provided input based on information and documents of which they have become aware through the process of discovery.

2. For each person you believe has knowledge of any of the facts underlying any of the claims in the Amended Complaint or the subject matter of this litigation, please state: (a) full name, last known home and business addresses and telephone numbers, and relationship to you; (b) current employer and position and, if formerly employed by Defendant, state when and what position; (c) the facts or information which you believe to be the substance of his or her knowledge and the source of such knowledge; and (d) the identity of any documents which relate to the person's information or knowledge, including without limitation any written statements.

ANSWER:

I am the only individual with knowledge of the underlying facts in the Amended Complaint as they apply to me. My business address and telephone number is as follows:

Morgan Stanley
201 Main Street
Suite 1500
Fort Worth, Texas 76102
817-870-1797

I was formerly a financial advisor of Defendant, between May 1998 and December 2012, and am currently employed by Morgan Stanley. The facts or information underlying claims asserted in this action or the subject matter of this action within my knowledge are based on my employment with Defendant and consist of my participation in Defendant's PartnerPlus Plan for Financial Advisors (the "Plan") by the making of deferrals thereunder and then forfeiture of amounts accrued for my benefit thereunder after my separation from Defendant. The documents which relate to my information or knowledge consist of the documents referred to in the Amended Complaint and any documents I have produced pursuant to Defendant's first and second requests for production of documents. I believe the other Plaintiffs in this action and the related Mark T. Eddingston, et al. v. UBS Financial Services, Inc. action have similar knowledge of similar facts based on similar sources. I am also aware of the persons and documents referred to in my deposition. I also believe multiple branch managers of Defendant who may or may not be Plaintiffs have knowledge of facts underlying claims asserted in the Amended Complaint or the subject matter of this action. In that connection, I am also aware of one or more projections of amounts deferred under the Plan, such as those being produced by Plaintiffs concurrently with these Amended Answers. My counsel is aware of other persons believed to have knowledge of facts underlying the claims in the Amended Complaint or the subject matter of this action, not limited to Matthew Levitan and the persons referred to in his deposition taken on May 14, 2013, and also is aware of documents which relate to that or those persons' knowledge or information, being the documents referred to in the deposition and made exhibits at such deposition, in particular Exhibits 2 through 12, and documents produced by Defendant in this action and the related Mark T. Eddingston, et al. v. UBS Financial Services, Inc. action. My counsel is also aware of other persons who have knowledge of facts underlying the claims asserted in the Amended Complaint identified in documents produced by other Plaintiffs and Defendant, and in the depositions of Plaintiff, Mark T. Eddingston, taken in the related Mark T. Eddingston, et al. v. UBS Financial Services, Inc. action, including those referred to in the answer to Interrogatory No. 10.

3. Identify each and every person, other than your attorneys, with whom you have discussed the allegations in the Amended Complaint or the subject matter of this litigation, and for each such person, please state: (a) the full name, last known home and business addresses and telephone numbers, and relationship to you; (b) when and where the discussion(s) or communication(s) took place; (c) the identity of each person present during such discussion(s) or

communications(s); and (d) the identity of any documents concerning the discussions(s), correspondence, or communications(s), including without limitation any written statements.

ANSWER:

I have had no discussions other than those with other Plaintiffs in this action. Such discussions occurred within a brief period prior to the filing of this action or have occurred since, by telephone. No documents exist concerning such discussions.

4. Identify each person from Defendant who, either individually or as part of a group, communicated with you, orally or in writing, regarding the Plan. For each such person, specify the nature of the communication; the date when the communication took place; what the individual said about the Plan; what statements, if any, you made during the communication; witnesses, if any, to the communication(s); and any notes or documents relating to the communication(s).

ANSWER:

I object to this interrogatory on the ground that the request seeks information that is not relevant in that it requests information related to the merits of the case rather than the issue of class certification. Subject to and without waiving the foregoing objection, I have had no discussions other than those involving other Plaintiffs in this action referred to in my answer to Interrogatory No. 3 or discussion referenced in my deposition.

5. Identify in detail your calculations as to damages and any other relief to which you believe you are entitled and for which you seek redress against Defendant, and for each element of damages or other relief identify: (a) each and every fact upon which you base your entitlement contention; (b) all documents relating or referring to any facts which form the bases of your entitlement contention; (c) each and every person who may have knowledge of the facts underlying your entitlement contention; and (d) each and every document relating to your alleged damages and any other information provided in your answer to this Interrogatory.

ANSWER:

I object to this interrogatory as overly broad and burdensome. The information is possessed and known by Defendant. Subject to and without waiving the foregoing objection, Firm Contributions, Market Interest and Turbo Interest forfeited as calculated by The Newport Group are the basis for my damage calculations. I have attached a copy of the forfeiture calculation.

6. Identify any person (other than counsel) from whom you or your attorneys have obtained or will obtain a written statement of any kind relating to any fact, allegation, claim, issue or defense raised in this action. For each such person, describe the substance of such statements. Identify all documents relating to same.

ANSWER:

I object to this interrogatory on the ground that the request seeks information that is not relevant in that it requests information related to the merits of the case rather than the issue of class certification. Subject to and without waiving the foregoing objection, I provided a declaration in connection with Defendant's motion to dismiss this action. I am aware of declarations also obtained from other Plaintiffs in connection with Defendant's motion to dismiss and am aware of the deposition of Mr. Levitan. I have not reviewed the substance of the deposition of Mr. Levitan, or the documents relating to his deposition, but they will be evidenced by the transcript of his deposition and the exhibits to the deposition.

7. If, in support of your claims as described in the Amended Complaint, you rely on any specific communications or documents which you contend directly evidence or support your allegations, identify each and every such communication or document.

ANSWER:

I object to this interrogatory on the ground that the request seeks information that is not relevant in that it requests information related to the merits of the case rather than the issue of class certification. Subject to and without waiving the foregoing objection, the communications and documents relied on in support of my claim as described in the Amended Complaint are those referred to in the Amended Complaint and the document referred to in my answer to Interrogatory No. 5 and may include any communications and documents identified at my deposition. I understand that the communications and documents also include all documents produced by me and other Plaintiffs in this action and the related Mark T. Eddingston, et al. v. UBS Financial Services, Inc. action and all documents produced by Defendant, in particular Exhibits 2 through 12 at the deposition of Mr. Levitan.

8. If you contend that Defendant, by any of its officers, agents managers, or employees, has made any admissions or declarations against interest concerning the subject matter of this action, please identify the person making the statement and identify the statement allegedly made (and if in writing, attach a copy).

ANSWER:

I object to this interrogatory on the ground that the request seeks information that is not relevant in that it requests information related to the merits of the case rather than the issue of class certification. Subject to and without waiving the foregoing objection, such persons have not been identified at this time. I am also aware that Mr. Levitan made multiple admissions against interest or declarations against interest in his deposition. Also, Plaintiffs and Defendant have produced documents in this action and the related Mark T. Eddingston, et al. v. UBS Financial Services, Inc. action documents containing admissions and declarations against interest, including specifically Exhibits 2 through 12 at Mr. Levitan's deposition and documents produced concurrently with these Amended Answers. Also, I have testified in my deposition and Mark T.

Eddingston has testified in the related Mark T. Eddingston, et al. v. UBS Financial Services, Inc. to admissions or statements against interest of Defendant.

9. Describe in detail any communications with potential class members regarding this litigation. For each such person, specify the nature of the communication, the date when the communication took place, what was said by the potential class member, what statements, if any, you made during the communication, witnesses, if any, and any notes you took of the communication.

ANSWER:

None, except for any communications referred to in the answer to Interrogatory No. 2. I took no notes of the communications.

10. Identify each person whom you intend to call as a witness at any hearing or trial in this matter.

ANSWER:

I object to this interrogatory on the ground that the request seeks information that is not relevant in that it requests information related to the merits of the case rather than the issue of class certification. Subject to and without waiving the foregoing objection, I have yet to determine who will be called as a witness at any hearing or trial. However, it is possible that all Plaintiffs in this action or the related Mark T. Eddingston, et al. v. UBS Financial Services, Inc. action will testify as a witness at any hearing or trial, or that Mr. Levitan and any other persons he mentioned in his deposition or identified in documents produced by me or other Plaintiffs in this action and the related Mark T. Eddingston, et al. v. UBS Financial Services, Inc. action or produced by Defendant or identified by Mr. Stacy and Mr. Eddingston in their depositions will be called as a witness at any hearing or trial.

At this time, Plaintiffs specifically identify the following individuals who have relevant knowledge and may be called as witnesses at any trial or hearing in this action or the related Mark T. Eddingston, et al. v. UBS Financial Services, Inc. action:

(a) Rebeca Ferreira, Associate Director
UBS Financial Services, Inc.

(b) Dana Gary, Authorized Officer, FA Compensation
UBS Financial Services, Inc.

(c) Robert McCormick, Executive Director, head of Benefits
UBS Financial Services, Inc.

(d) Joe Sabatello, Director, HR Compensation
UBS Financial Services, Inc.

(e) Rosemarie Albergo, Executive Director, WM US Acounting
UBS Financial Services, Inc.

(f) Grace Kosiecki, Assistant Vice President, HR Compensation Accounting
UBS Financial Services, Inc.

(g) Leticia Waelz, Director/ Compensation and Benefits Communications
UBS Financial Services, Inc.

(h) Kevin Guiney, Associated Director/ HR Field Comp
UBS Financial Services, Inc.

(i) Isabella Kent, Authorized Officer IT/ FA Comp Support
UBS Financial Services, Inc.

(j) Rob Himics, Authorized Officer/ IT for HR
UBS Financial Services, Inc.

(k) Bret Dodson, Senior Client Relationship Manager
The Newport Group

(l) Ryan Simmons, Plan Administrator
The Newport Group

(m) Craig Sheets, Senior Accounting Associate
The Newport Group

(n) Jeff Welte, Senior Implementation Project Manager
The Newport Group

(o) Michelle Wilder, Implementation Specialist
The Newport Group

(p) Glenna Bayles, Vice President, Client Services
The Newport Group

(q) Nicola Harrell, Director, Implementation and Conversions
The Newport Group

(r) Teresa Sherrard, Vice President, Accounting Services
The Newport Group

(s) Mike Shannon, Senior Consultant
The Newport Group

(t) Andrew Eldredge, Vice President, Non-qualified Administration
The Newport Group

(u) Laura E. Simmons, Ph.D., Senior Advisor
Cornerstone Research

(v) Alan M. Johnson
Johnson Associates, Inc.

11. Identify all employers (including yourself) who have offered you employment or for whom you have worked since your employment with UBS ended and through the date of trial, identifying: the company name, address, and location; the dates you were employed by such other employers (including yourself); your positions with such employers; your supervisors' names and titles; a brief description of your job duties; your rate of pay as well as earnings, compensation and other benefits you received during such employment; and if you left the employment, the reasons for your separation from employment.

ANSWER:

I object to this interrogatory on the ground that the request seeks information that is not relevant to any claim or defense or calculated to lead to admissible evidence relevant to a claim or defense other than information as to my participation in the PartnerPlus Plan. Subject to and without waiving the foregoing objection, the names of, and dates of my employment, with subsequent employers, this information is readily available to you on FINRA BrokerCheck.

12. For all employers identified in response to the foregoing interrogatory, identify and describe your efforts to become employed with such employer, including each person who recruited you; each person who interviewed you; the date you first expressed interest in employment with the employer; your reasons for seeking employment outside UBS; any pre-employment communications with representatives of the employer; any applications or resumes submitted; and your reasons for accepting such employment.

ANSWER:

I object to this interrogatory on the ground that the request seeks information that is not relevant to any claim or defense or calculated to lead to admissible evidence relevant to a claim or defense other than information as to my participation in the PartnerPlus Plan.

VERIFICATION

STATE OF TEXAS §
§
COUNTY OF TARRANT §

Before me, the undersigned Notary Public, personally appeared Aubrey B. Stacy, who, being by me duly sworn, deposed and stated that he is a Plaintiff in this action and that the facts stated in the foregoing Plaintiff, Aubrey B. Stacy, First Amended Answers to First and Second Sets of Interrogatories Propounded by Defendant are within his personal knowledge and are true and correct.

____
Aubrey B. Stacy

SUBSCRIBED AND SWORN TO BEFORE ME this _______day of May, 2013.

____
Notary Public

Respectfully submitted,

Robert E. Goodman, Jr., Lead Attorney
State Bar No. 08158100
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Theodore C. Anderson
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(903) 923-9000; (903) 923-9099 (telecopy)

COUNSEL FOR PLAINTIFFS

CERTIFICATE OF SERVICE

This is to certify that a true and correct copy of the foregoing was served upon Defendant's counsel of record by the method indicated below this 15th day of May, 2013 as follows:

By E-mail and U.S. First Class Mail

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113 East Austin Street
Marshall, Texas 75671

Robert E. Goodman, Jr.

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION

BILL HENDRICKS and	§	
AUBREY B. STACY,	§	
	§	
Plaintiffs,	§	
	§	
V.	§	Civil Action No. 2:12-CV-00606
	§	
UBS FINANCIAL SERVICES, INC.	§	
	§	
Defendant.	§	

PLAINTIFF, BILL HENDRICK'S, FIRST AMENDED ANSWERS TO FIRST AND SECOND SETS OF INTERROGATORIES PROPOUNDED BY DEFENDANT

Plaintiff, Bill Hendricks, hereby provides the following first amended answers to Defendant's first and second sets of interrogatories

1. Identify each and every person who assisted you in answering these Interrogatories and in responding to Defendant's First Request for Production of Documents, and specify to which Interrogatory and Document Request and subpart that person provided assistance or input and the nature of such assistance or input.

ANSWER:

I was aided in the answering of these interrogatories by my attorney, Robert E. Goodman, Jr., and his paralegal, Tara Mills. They assisted me in understanding all of the interrogatories and requests and, where indicated below, provided input based on information and documents of which they have become aware through the process of discovery.

2. For each person you believe has knowledge of any of the facts underlying any of the claims in the Amended Complaint or the subject matter of this litigation, please state: (a) full name, last known home and business addresses and telephone numbers, and relationship to you; (b) current employer and position and, if formerly employed by Defendant, state when and what position; (c) the facts or information which you believe to be the substance of his or her knowledge and the source of such knowledge; and (d) the identity of any documents which relate to the person's information or knowledge, including without limitation any written statements.

ANSWER:

I am the only individual with knowledge of the underlying facts in the Amended Complaint as they apply to me. My business address and telephone number is as follows:

Southwest Securities, Inc.
2804 Gateway Oaks Drive
Suite 100
Sacramento, California 95833
916-567-6600

I was formerly a financial advisor of Defendant, between June 1986 and November 2008, and am currently employed by Southwest Securities, Inc. The facts or information underlying claims asserted in this action or the subject matter of this action within my knowledge are based on my employment with Defendant and consist of my participation in Defendant's PartnerPlus Plan for Financial Advisors (the "Plan") by the makingby the making of deferrals thereunder and then forfeiture of amounts accrued for my benefit thereunder after my separation from Defendant. The documents which relate to my information or knowledge consist of the documents referred to in the Amended Complaint and any documents I have produced pursuant to Defendant's first and second requests for production of documents. I believe the other Plaintiffs in this action and the related Mark T. Eddingston, et al. v. UBS Financial Services, Inc. action have similar knowledge of similar facts based on similar sources. I also believe multiple branch managers of Defendant who may or may not be Plaintiffs have knowledge of facts underlying claims asserted in the Amended Complaint or the subject matter of this action. In that connection, I am also aware of one or more projections of amounts deferred under the Plan, such as those being produced by Plaintiffs concurrently with these Amended Answers. My counsel is aware of other persons believed to have knowledge of facts underlying the claims in the Amended Complaint or the subject matter of this action, not limited to Matthew Levitan and the persons referred to in his deposition taken on May 14, 2013, and also is aware of documents which relate to that or those persons' knowledge or information, being the documents referred to in the deposition and made exhibits at such deposition, in particular Exhibits 2 through 12, and documents produced by Defendant in this action and the related Mark T. Eddingston, et al. v. UBS Financial Services, Inc. action. My counsel is also aware of other persons who have knowledge of facts underlying the claims asserted in the Amended Complaint identified in documents produced by other Plaintiffs and Defendant, and in the depositions of Plaintiffs which have been taken in this action and the related Mark T. Eddingston, et al. v. UBS Financial Services, Inc. action, including those referred to in the answer to Interrogatory No. 10.

3. Identify each and every person, other than your attorneys, with whom you have discussed the allegations in the Amended Complaint or the subject matter of this litigation, and for each such person, please state: (a) the full name, last known home and business addresses and telephone numbers, and relationship to you; (b) when and where the discussion(s) or communication(s) took place; (c) the identity of each person present during such discussion(s) or communications(s); and (d) the identity of any documents concerning the discussions(s), correspondence, or communications(s), including without limitation any written statements.

ANSWER:

I have had no discussions other than those with other Plaintiffs in this action. Such discussions occurred within a brief period prior to the filing of this action or have occurred since, by telephone. No documents exist concerning such discussions.

4. Identify each person from Defendant who, either individually or as part of a group, communicated with you, orally or in writing, regarding the Plan. For each such person, specify the nature of the communication; the date when the communication took place; what the individual said about the Plan; what statements, if any, you made during the communication; witnesses, if any, to the communication(s); and any notes or documents relating to the communication(s).

ANSWER:

I object to this interrogatory on the ground that the request seeks information that is not relevant in that it requests information related to the merits of the case rather than the issue of class certification. Subject to and without waiving the foregoing objection, I have had no discussions other than those involving other Plaintiffs in this action referred to in my answer to Interrogatory No. 3.

5. Identify in detail your calculations as to damages and any other relief to which you believe you are entitled and for which you seek redress against Defendant, and for each element of damages or other relief identify: (a) each and every fact upon which you base your entitlement contention; (b) all documents relating or referring to any facts which form the bases of your entitlement contention; (c) each and every person who may have knowledge of the facts underlying your entitlement contention; and (d) each and every document relating to your alleged damages and any other information provided in your answer to this Interrogatory.

ANSWER:

I object to this interrogatory as overly broad and burdensome. The information is possessed and known by Defendant. Subject to and without waiving the foregoing objection, Firm Contributions, Market Interest and Turbo Interest forfeited as calculated by The Newport Group are the basis for my damage calculations. I have attached a copy of the forfeiture calculation.

6. Identify any person (other than counsel) from whom you or your attorneys have obtained or will obtain a written statement of any kind relating to any fact, allegation, claim, issue or defense raised in this action. For each such person, describe the substance of such statements. Identify all documents relating to same.

ANSWER:

I object to this interrogatory on the ground that the request seeks information that is not relevant in that it requests information related to the merits of the case rather than the issue of class certification. Subject to and without waiving the foregoing objection, I provided a declaration in connection with Defendant's motion to dismiss this action. I am aware of declarations also obtained from other Plaintiffs in connection with Defendant's motion to dismiss and am aware of the deposition of Mr. Levitan. I have not reviewed the substance of the deposition of Mr. Levitan, or the documents relating to his deposition, but they will be evidenced by the transcript of his deposition and the exhibits to the deposition.

7. If, in support of your claims as described in the Amended Complaint, you rely on any specific communications or documents which you contend directly evidence or support your allegations, identify each and every such communication or document.

ANSWER:

I object to this interrogatory on the ground that the request seeks information that is not relevant in that it requests information related to the merits of the case rather than the issue of class certification. Subject to and without waiving the foregoing objection, the communications and documents relied on in support of my claim as described in the Amended Complaint are those referred to in the Amended Complaint and the document referred to in my answer to Interrogatory No. 5. I understand that the communications and documents also include all documents produced by me and other Plaintiffs in this action and the related Mark T. Eddingston, et al. v. UBS Financial Services, Inc. action and all documents produced by Defendant, in particular Exhibits 2 through 12 at the deposition of Mr. Levitan.

8. If you contend that Defendant, by any of its officers, agents managers, or employees, has made any admissions or declarations against interest concerning the subject matter of this action, please identify the person making the statement and identify the statement allegedly made (and if in writing, attach a copy).

ANSWER:

I object to this interrogatory on the ground that the request seeks information that is not relevant in that it requests information related to the merits of the case rather than the issue of class certification. Subject to and without waiving the foregoing objection, such persons have not been identified at this time. I am also aware that Mr. Levitan made multiple admissions against interest or declarations against interest in his deposition. Also, Plaintiffs and Defendant have produced documents in this action and the related Mark T. Eddingston, et al. v. UBS Financial Services, Inc. action documents containing admissions and declarations against interest, including specifically Exhibits 2 through 12 at Mr. Levitan's deposition and documents produced concurrently with these Amended Answers. Also, Plaintiffs who have testified in this and the related Mark T. Eddingston, et al. v. UBS Financial Services, Inc. action have testified to admission or statements against interest of Defendant.

9. Describe in detail any communications with potential class members regarding this litigation. For each such person, specify the nature of the communication, the date when the communication took place, what was said by the potential class member, what statements, if any, you made during the communication, witnesses, if any, and any notes you took of the communication.

ANSWER:

None, except for any communications referred to in the answer to Interrogatory No. 2. I took no notes of the communications.

10. Identify each person whom you intend to call as a witness at any hearing or trial in this matter.

ANSWER:

I object to this interrogatory on the ground that the request seeks information that is not relevant in that it requests information related to the merits of the case rather than the issue of class certification. Subject to and without waiving the foregoing objection, I have yet to determine who will be called as a witness at any hearing or trial. However, it is possible that all Plaintiffs in this action or the related Mark T. Eddingston, et al. v. UBS Financial Services, Inc. action will testify as a witness at any hearing or trial, or that Mr. Levitan and any other persons he mentioned in his deposition or identified in documents produced by me or other Plaintiffs in this action and the related Mark T. Eddingston, et al. v. UBS Financial Services, Inc. action or produced by Defendant or identified by Mr. Stacy and Mr. Eddingston in their depositions will be called as a witness at any hearing or trial.

At this time, Plaintiffs specifically identify the following individuals who have relevant knowledge and may be called as witnesses at any trial or hearing in this action or the related Mark T. Eddingston, et al. v. UBS Financial Services, Inc. action:

(a) Rebeca Ferreira, Associate Director
UBS Financial Services, Inc.

(b) Dana Gary, Authorized Officer, FA Compensation
UBS Financial Services, Inc.

(c) Robert McCormick, Executive Director, head of Benefits
UBS Financial Services, Inc.

(d) Joe Sabatello, Director, HR Compensation
UBS Financial Services, Inc.

(e) Rosemarie Albergo, Executive Director, WM US Acounting
UBS Financial Services, Inc.

(f) Grace Kosiecki, Assistant Vice President, HR Compensation Accounting
UBS Financial Services, Inc.

(g) Leticia Waelz, Director/ Compensation and Benefits Communications
UBS Financial Services, Inc.

(h) Kevin Guiney, Associated Director/ HR Field Comp
UBS Financial Services, Inc.

(i) Isabella Kent, Authorized Officer IT/ FA Comp Support
UBS Financial Services, Inc.

(j) Rob Himics, Authorized Officer/ IT for HR
UBS Financial Services, Inc.

(k) Bret Dodson, Senior Client Relationship Manager
The Newport Group

(l) Ryan Simmons, Plan Administrator
The Newport Group

(m) Craig Sheets, Senior Accounting Associate
The Newport Group

(n) Jeff Welte, Senior Implementation Project Manager
The Newport Group

(o) Michelle Wilder, Implementation Specialist
The Newport Group

(p) Glenna Bayles, Vice President, Client Services
The Newport Group

(q) Nicola Harrell, Director, Implementation and Conversions
The Newport Group

(r) Teresa Sherrard, Vice President, Accounting Services
The Newport Group

(s) Mike Shannon, Senior Consultant
The Newport Group

(t) Andrew Eldredge, Vice President, Non-qualified Administration
The Newport Group

(u) Laura E. Simmons, Ph.D., Senior Advisor
Cornerstone Research

(v) Alan M. Johnson
Johnson Associates, Inc.

11. Identify all employers (including yourself) who have offered you employment or for whom you have worked since your employment with UBS ended and through the date of trial, identifying: the company name, address, and location; the dates you were employed by such other employers (including yourself); your positions with such employers; your supervisors' names and titles; a brief description of your job duties; your rate of pay as well as earnings, compensation and other benefits you received during such employment; and if you left the employment, the reasons for your separation from employment.

ANSWER:

I object to this interrogatory on the ground that the request seeks information that is not relevant to any claim or defense or calculated to lead to admissible evidence relevant to a claim or defense other than information as to my participation in the PartnerPlus Plan. Subject to and without waiving the foregoing objection, the names of, and dates of my employment, with subsequent employers, this information is readily available to you on FINRA BrokerCheck.

12. For all employers identified in response to the foregoing interrogatory, identify and describe your efforts to become employed with such employer, including each person who recruited you; each person who interviewed you; the date you first expressed interest in employment with the employer; your reasons for seeking employment outside UBS; any pre-employment communications with representatives of the employer; any applications or resumes submitted; and your reasons for accepting such employment.

ANSWER:

I object to this interrogatory on the ground that the request seeks information that is not relevant to any claim or defense or calculated to lead to admissible evidence relevant to a claim or defense other than information as to my participation in the PartnerPlus Plan.

VERIFICATION

STATE OF CALIFORNIA §
§
COUNTY OF SACRAMENTO §

Before me, the undersigned Notary Public, personally appeared Bill Hendricks, who, being by me duly sworn, deposed and stated that he is a Plaintiff in this action and that the facts stated in the foregoing Plaintiff, Bill Hendricks, First Amended Answers to First and Second Sets of Interrogatories Propounded by Defendant are within his personal knowledge and are true and correct.

____
Bill Hendricks

SUBSCRIBED AND SWORN TO BEFORE ME this _______day of May, 2013.

____
Notary Public

Respectfully submitted,

____

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COUNSEL FOR PLAINTIFFS

CERTIFICATE OF SERVICE

This is to certify that a true and correct copy of the foregoing was served upon Defendant's counsel of record by the method indicated below this _____th day of May, 2013 as follows:

By E-mail and U.S. First Class Mail

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113 East Austin Street	
Marshall, Texas 75671	

____
Robert E. Goodman, Jr.

PaineWebber

PartnerPlus℠

Building Relationships *Plus* Financial Security

Account Statements for Philip Eldemire

PaineWebber

UBS PaineWebber PartnerPlus Plan

Branch Manager Projection

Social Security Number:	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
Date of Birth:	03/18/55
Date of Hire:	05/25/90
NYSE LOS:	22
PaineWebber LOS:	11

Your Balance on 12/31/2000:	$560,038
2000 Branch Manager Award:	66,161
Your Balance on 1/1/2001:	$626,199
Projection	
2001 Voluntary Contribution:	33,839
2001 Interest:	108,257
Your Balance on 12/31/2001:	$768,295
Projected 2001 Deferred Award	
to credit on 1/1/2002:	66,161
Projected Balance at 1/1/2002:	$834,456

Prepared for: **Charlie Eldemire**
Broker #: **LMY4**

Branch: **Dallas,TX Park Cities**

The chart below calculates your firm contributions, voluntary contributions, and distributions at the assumed turbo rate for four years and market rate thereafter, compounded annually.

Age Nearest	Balance on January 1,	Pre-Tax Accumulated Benefit: Firm Contributions	Voluntary Contributions	Accumulated Interest	Total Contributions	Accumulated Distributions	Total Balance and Accumulated Distributions
46	2001	$236,074	$167,307	$222,818	$626,199	$0	$626,199
47	2002	302,235	201,146	331,075	834,456	0	834,456
48	2003	368,396	234,985	461,614	1,064,995	0	1,064,995
49	2004	434,557	268,824	619,261	1,322,642	0	1,322,642
50	2005	492,437	294,382	785,734	1,572,553	27,383	1,599,936
51	2006	538,276	307,899	923,183	1,769,358	118,719	1,888,077
52	2007	582,844	320,145	1,034,575	1,937,564	248,959	2,186,522
53	2008	615,114	320,093	1,136,600	2,071,807	422,748	2,494,555
54	2009	646,752	319,409	1,213,201	2,179,362	629,798	2,809,160
55	2010	661,610	304,551	1,270,480	2,236,641	893,534	3,130,175
56	2011	661,610	338,390	1,190,095	2,190,095	1,262,782	3,452,876
57	2012	661,610	338,390	1,190,095	2,190,095	1,584,144	3,774,239
58	2013	661,610	338,390	1,190,095	2,190,095	1,905,507	4,095,602
59	2014	661,610	338,390	1,190,095	2,190,095	2,226,870	4,416,965
60	2015	661,610	338,390	1,190,095	2,190,095	2,548,233	4,738,327
61	2016	661,610	338,390	1,190,095	2,190,095	2,869,596	5,059,690
62	2017	661,610	338,390	1,190,095	2,190,095	3,190,958	5,381,053
63	2018	661,610	338,390	1,190,095	2,190,095	3,512,321	5,702,416
64	2019	661,610	338,390	1,190,095	2,190,095	3,833,684	6,023,779
65	2020	661,610	338,390	1,190,095	2,190,095	4,155,047	6,345,142

If you contribute the maximum Voluntary Contribution, your Total Balance and Accumulated Distribution at final projection age would be: $6,345,142

Assumptions:

- Projection begins with your account balance on 1/1/2001.
- 2001 and future awards are based on awards earned for 2000 and credited to PartnerPlus on 1/1/2001.
- Future voluntary contributions are based on your actual 2001 election.
- Future turbo and market interest rates are 23% and 5.75%, respectively.
- Firm and voluntary contributions, along with the related turbo and market interest are paid out after the ten-year anniversary of each contribution. These payments are noted as accumulated distributions.

Please call Branch Administration at 1-800-738-0723 with any questions.

*** The above projections are estimates only. This document should not be construed as, nor is it intended to be, a contract or guarantee. ***

PaineWebber
PartnerPlus℠

The Power of Voluntary Contributions

Accumulation of Voluntary Contribution Amount Deferred Each Year to Age 65

Annual Voluntary Contribution	Age							
	25	30	35	40	45	50	55	60
500	148,141	106,373	75,161	51,838	34,410	21,386	11,654	4,382
1,000	296,283	212,746	150,323	103,676	68,819	42,772	23,308	8,764
2,000	592,565	425,492	300,645	207,353	137,639	85,545	46,617	17,528
4,000	1,185,130	850,984	601,291	414,705	275,277	171,089	93,233	35,055
6,000	1,777,696	1,276,476	901,936	622,058	412,916	256,634	139,850	52,583
8,000	2,370,261	1,701,968	1,202,581	829,410	550,555	342,178	186,467	70,110
10,000	2,962,826	2,127,460	1,503,227	1,036,763	688,194	427,723	233,084	87,638
12,000	3,555,391	2,552,953	1,803,872	1,244,115	825,832	513,267	279,700	105,165
14,000	4,147,957	2,978,445	2,104,517	1,451,468	963,471	598,812	326,317	122,693
16,000	4,740,522	3,403,937	2,405,162	1,658,820	1,101,110	684,356	372,934	140,221
18,000	5,333,087	3,829,429	2,705,808	1,866,173	1,238,749	769,901	419,550	157,748
20,000	5,925,652	4,254,921	3,006,453	2,073,525	1,376,387	855,445	466,167	175,276
22,000	6,518,218	4,680,413	3,307,098	2,280,878	1,514,026	940,990	512,784	192,803
24,000	7,110,783	5,105,905	3,607,744	2,488,230	1,651,665	1,026,534	559,401	210,331
26,000	7,703,348	5,531,397	3,908,389	2,695,583	1,789,304	1,112,079	606,017	227,859
28,000	8,295,913	5,956,889	4,209,034	2,902,935	1,926,942	1,197,623	652,634	245,386
30,000	8,888,479	6,382,381	4,509,680	3,110,288	2,064,581	1,283,168	699,251	262,914
32,000	9,481,044	6,807,873	4,810,325	3,317,640	2,202,220	1,368,712	745,867	280,441
34,000	10,073,609	7,233,366	5,110,970	3,524,993	2,339,858	1,454,257	792,484	297,969
36,000	10,666,174	7,658,858	5,411,615	3,732,345	2,477,497	1,539,802	839,101	315,496
38,000	11,258,740	8,084,350	5,712,261	3,939,698	2,615,136	1,625,346	885,718	333,024
40,000	11,851,305	8,509,842	6,012,906	4,147,050	2,752,775	1,710,891	932,334	350,552

Assumed 24% turbo rate for four years and 6% market rate thereafter.